

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10CV351-1-MU

FELIPE DANYEL McMILLIAN,

Petitioner,

v.

TODD PINION,

Respondent.

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ORDER

THIS MATTER comes before the Court upon Petitioner's Petition for a Writ of Habeas Corpus (Doc. No. 1), filed August 2, 2010.

In his federal habeas petition, Petitioner indicates that he was convicted and sentenced in the Superior Court of Cabarrus County which is within the territorial jurisdiction of the United States District Court for the Middle District of North Carolina. Therefore, pursuant to the provisions of Section 2241(d) of Title 28 of the United States Code, and in accordance with a joint order of the United States District Courts for the Eastern, Middle, and Western Districts of North Carolina, this action will be filed and the entire record of this proceeding, including a certified copy of this Order, will be transferred to the United States District Court for the Middle District of North Carolina, the district within which the state court was held which convicted and sentenced Petitioner, for all further proceedings.

THEREFORE, IT IS HEREBY ORDERED that this action be filed and that the entire record of this proceeding, including a certified copy of this Order, be transferred to the United States District Court for the Middle District of North Carolina for further screening and/or proceedings. The Clerk is also instructed to send a certified copy of this Order to Petitioner.

Signed: August 9, 2010

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

